

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA

Case No. 1:07-cr-125-SEB-MJD-05

v.

DANNY DELGADO

ORDER ON MOTION FOR
SENTENCE REDUCTION UNDER
18 U.S.C. § 3582(c)(1)(A)
(COMPASSIONATE RELEASE)

Upon motion of the defendant the Director of the Bureau of Prisons for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission,

IT IS ORDERED that the motion is:

DENIED.

DENIED WITHOUT PREJUDICE. Defendant filed a pro se letter that the Court construes as a Motion for Compassionate Release under 18 U.S.C. § 3582(c)(1)(A). In the letter, Defendant asks the Court to appoint counsel to represent him. On its face, Defendant's motion does not show that he is entitled to compassionate release under § 3582(c)(1)(A) or that the interests of justice support appointing counsel at this time. Accordingly, his motion, dkt. [1090], is **denied without prejudice**.

If Defendant wishes to renew his motion, he may do so by completing and returning the attached form motion. (Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(1)(A) (Compassionate Release) (Pro Se Prisoner)). If Defendant renews his motion, he must explain (1) why his child (D.D.) went to live with D.D.'s mother in Mexico; (2) where D.D. is currently living; (3) whether the adult with whom D.D. is currently living is able to care for D.D. and if not, why; (4) why D.D. cannot currently be cared for by his grandmother (Silvia Delgado) or his aunt (Nancy Dominguez); and (5) the nature of Defendant's relationship with D.D., including how often he

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currently has contact with D.D. Defendant must also explain whether Ms. Dominguez has recovered from COVID-19 and, if not, what symptoms she is currently experiencing. Finally, Defendant must also explain his statement that D.D. is incapacitated. *See* dkt. 1090 at 2.

IT IS SO ORDERED.

Date: 12/21/2020

Sarah Evans Barker

SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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